

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

JUAN GOMEZ-GARCIA,

Petitioner,

v.

MICHAEL CHERTOFF, et al.,

Respondents.

CASE NO. C06-1845-JLR-MAT

ORDER GRANTING
TEMPORARY STAY OF
REMOVAL

Petitioner, proceeding through counsel, filed a "Petition for Writ of Habeas Corpus" pursuant to 28 U.S.C. § 2241, and an Emergency Motion for Stay of Removal. (Dkt. #1). The Court does hereby ORDER:

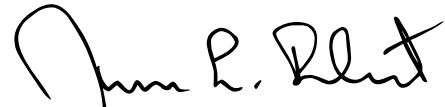
- (1) Petitioner's removal is temporarily STAYED pending briefing and a resolution of petitioner's motion for stay. The Court expresses no views at this time as to the merits of petitioner's habeas petition or Motion for Stay of Removal.
- (2) The Clerk shall NOTE petitioner's Motion for Stay of Removal (Dkt. #1) on the Court's calendar for consideration on January 19, 2007.
- (3) Respondents are directed to file and serve a response to petitioner's Motion for Stay of Removal not later than January 15, 2007. Petitioner may file and serve a reply brief in support of his motion not later than January 19, 2007.

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(4) The Clerk shall direct a copy of this Order to all counsel of record, and shall forward a copy of this Order to Judge Theiler.

DATED this 8th day of January, 2007.



JAMES L. ROBART
United States District Judge

Recommended for Entry
this 4th of January, 2007.

S/MARY ALICE THEILER
MARY ALICE THEILER
United States Magistrate Judge